



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TAKIEM EWING,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

21-CV-9750 (VB)

14-CR-0604-01 (VB)

ORDER TO ANSWER, 28 U.S.C. § 2255

VINCENT L. BRICCETTI, United States District Judge:

The Court, having concluded that (1) the motion brought under 28 U.S.C. § 2255 should not be summarily dismissed as being without merit but (2) that **it may be untimely**, hereby ORDERS that:

The Clerk of Court shall electronically notify the Criminal Division of the U.S. Attorney's Office for the Southern District of New York that this order has been issued.

By February 28, 2022, the U.S. Attorney's Office shall file an answer or other pleadings **addressing only the timeliness of the Section 2255 motion.**

Movant shall have until March 31, 2022 to file a response to the government's submission.

The Court will review the submissions and either decide the motion on the submitted papers, or if necessary, order the parties to submit supplemental briefing.

All further papers filed or submitted for filing must include both the criminal docket number and the civil docket number, and will be docketed in both cases.

Chambers will mail a copy of this Order to movant at the following address:

Takiem Ewing, Reg. No 71372-054  
USP McCreary  
U.S. Penitentiary  
P.O. Box 3000  
Pine Knot, KY 42635

SO ORDERED.

Dated: January 26, 2022  
White Plains, New York

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

VINCENT L. BRICCETTI  
United States District Judge